

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

_____)	
SECURITIES AND EXCHANGE COMMISSION,)	
)	
Plaintiff,)	
)	
v.)	Case No. 19-CV-11416 (WGY)
)	
HENRY B. SARGENT,)	
FREDERICK M. MINTZ,)	
ALAN P. FRAADE,)	
JOSEPH J. TOMASEK and)	
PATRICK GIORDANO,)	
)	
Defendants.)	
_____)	

Joint Motion To Extend Certain Pretrial Deadlines

Plaintiff Securities and Exchange Commission (the “Commission”) and defendants Henry Sargent, Joseph Tomasek, and Patrick Giordano (collectively, the “Defendants”¹) submit this Joint Motion to Extend Certain Pretrial Deadlines. The relief sought herein would *not* alter the date by which the Court has ordered the parties to be ready for trial—September 7, 2021. In support of this motion, the parties state as follows:

On February 16, 2021, the Court granted the parties’ joint motion to extend fact discovery through March 22, 2021; ordered dispositive motions to be filed by May 20, 2021; and ordered the parties to be ready for trial by September 7, 2021. *See* ECF Nos. 133-34. The parties’ previous motion had included a pretrial schedule that culminated in a trial-ready date of August 26, 2021. As noted, the Court set a trial ready date of September 7, 2021—12 days later than the parties had proposed. Accordingly, the parties now seek to extend each pretrial deadline

¹ The Court entered final judgment against Alan Fraade and Frederick Mintz on September 14, 2020. (ECF 118).

by 12 days (or 14 days if the 12th day falls on a Saturday). These adjustments would account for the additional fact discovery that concluded on April 9th with the deposition of Defendant Tomasek, but would not alter the Court's trial-ready date of September 7, 2021. The parties' proposed schedule (under which dispositive motions would be due on June 1, 2021, instead of May 20, 2021) is below.

	Previously Proposed Deadlines (ECF No. 131)	New Proposed Deadlines
SEC Opening Expert Report(s) Due	April 5, 2021	April 16, 2021
Defendants Opening Expert Report(s) Due	April 19, 2021	May 3, 2021
Defendants Rebuttal Expert Report(s) Due	April 26, 2021	May 10, 2021
SEC Rebuttal Expert Report(s) Due	May 6, 2021	May 18, 2021
Deadline for Depositions of Experts	May 14, 2021	May 26, 2021
Dispositive Motion Cutoff	May 20, 2021	June 1, 2021
Exhibit and Witness Lists for Trial Due	July 19, 2021	August 2, 2021
Deposition Designations Due	July 19, 2021	August 2, 2021
Objections to Deposition Designations Due	July 26, 2021	August 9, 2021
Objections to Exhibit Lists Due	July 26, 2021	August 9, 2021
Counter Deposition Designations Due	August 2, 2021	August 16, 2021
Motions in Limine/Daubert Motions Due	August 2, 2021	August 16, 2021
Ready for Trial	August 26, 2021	September 7, 2021

Respectfully submitted,

**SECURITIES AND EXCHANGE
COMMISSION**

By its Attorneys,

/s/ David J. D'Addio

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Dated: April 15, 2021

Certificate of Service

I, David J. D'Addio, certify that on April 15, 2021, I filed the foregoing motion electronically with the Court. The filing will be sent to the registered participants as identified on the Notice of Electronic Filing and may also be accessed through the Court's ECF system.

/s/ David J. D'Addio
David J. D'Addio